RECEIVED CENTRAL FAX CENTER

FEB 2 3 2004

LAW OFFICES OF

McGINN & GIBB, PLLC

A PROFESSIONAL LIMITED LIABILITY COMPANY PATENTS, TRADEMARKS, COPYRIGHTS, AND INTELLECTUAL PROPERTY LAW 8321 OLD COURTHOUSE ROAD, SUITE 200

VIENNA, VIRGINIA 22182-3817 TELEPHONE: (703) 761-4100 FACSIMILE/DATA: (703) 761-2375; 761-2376

E-MAIL: MCGINNGIBB @ AOL.COM

SEAN M. MCGINN PHILLIP E. MILLERT FREDERICK E. COOPERRIDERT PETER A. BALNAVE, Ph.D. FREDRIC J. ZIMMERMANT JAMES E. HOWARDI JAMES N. DRESSER JOHN J. DRESCH SCOTT M. TULINO TMEMBER OF BAR OTHER THAN VA

ANNAPOLIS, MD OFFICE FREDERICK W. GIBB, III MOHAMMAD S. RAHMANT

February 23, 2004

VIA FACSIMILE

Examiner Karl I. Tamai To:

Group Art Unit No. 2834

U.S.P.T.O.

Facsimile No.: (703) 872-9306

From: James E. Howard

Facsimile No.: (703) 761-2375 (76)

Re:

Enclosed § 1.116 Amendment and Petition for Extension of Time

U.S. Patent Application Serial No. 09/891,606

Our Ref: NGB.059

Dear Examiner Tamai:

Enclosed is the Amendment, responsive to the August 26, 2003 Office Action, along with a Petition for Extension of Time, which should place the above-referenced case in condition for allowance.

Thank you in advance for your consideration on this case.

Very truly yours,

James E. Howard

JEH:rl **Enclosures**

Total No. of Pages Transmitted: 24

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED CENTRAL FAX CENTER

In re Application of

FEB 2 3 2004

Taniguchi, et al.

Serial No.:

09/891,606

Group Art Unit:

2834

Filed:

June 27, 2001

Examiner:

Tamai, Karl I.

OFFICIAL

For:

MAGNETIC BEARING CONTROL DEVICE WITH COUNTER FOR TIMED

MAINTENANCE

Honorable Commissioner of Patents Box AF Alexandria, VA 22313-1450

AMENDMENT AFTER FINAL REJECTION UNDER 37 C.F.R. §1.116

Sir:

In preparation for imminent appeal and in response to the Office Action dated August 26, 2003, please amend the above-identified application as follows:

INTRODUCTORY COMMENTS

Claims 1-19 are all the claims presently pending in the application. The title and claim 1 is amended to more clearly define the invention. Claims 1, 9, and 18 are independent.

Serial No. 09/981,606 Docket No. K06-135818M/TBS 2

AMENDMENTS TO THE TITLE:

Please replace the title with the following:

"MAGNETIC BEARING CONTROL DEVICE WITH COUNTER FOR TIMED MAINTENANCE"